

**UTILITY PATENT APPLICATION  
TRANSMITTAL**

(For new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P50383D2

First Named Inventor

Burch, et al.

"EXPRESS MAIL" MAILING LABEL NUMBER **EV349425397US** DATE OF DEPOSIT: **21 November 2003**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to:  
**COMMISSIONER FOR PATENTS, MAIL STOP: PATENT APPLICATION, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.**

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SIGNATURE

*April E. Connor*

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17302 U.S.PTO  
10/719211  
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**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570
  - General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))  
(Submit an original, and a duplicate for fee processing)
2.  The total fee is calculated as shown below:
 

Basic Filing fee	\$750.00
Total Claims 28 - 20 = 8 x \$18	\$144.00
Independent Claims 2 - 3 = 0 x \$86	\$ 0.00
<input type="checkbox"/> Multiple Dependent Claim present. \$290	
<b>TOTAL FILING FEE</b>	<b>\$894.00</b>

  - Cancel in this application original claims 1 to 15 of the prior application before calculating the filing fee.
  - Charge \$894.00 to the above indicated Deposit Account.
- 3a.  Specification excluding Drawings [Total Pages] 11
- 3b.  Abstract on a separate sheet [Total Pages] 1
4.  Drawing(s) (35 USC 113) [Total Sheets] 3
5.  Declaration and Power of Attorney [Total Pages] 3
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17a completed)
  - c.  Unsigned Declaration  
*[Note Box 6 below]*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- |   |   |
|---|---|
| 7. <input checked="" type="checkbox"/>  | The Title of the Invention:<br><b>Pharmaceutical Formulation</b>  |
| 8. <input type="checkbox"/>             | Nucleotide and/or Amino Acid Sequence Submission <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Copy</li> <li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> <li>d. <input type="checkbox"/> Use the identical computer-readable form filed in Application No. _____, filed _____ as the computer-readable form for the instant application. (37 CFR 1.821(e))</li> </ul> |
| <b>ACCOMPANYING APPLICATION PARTS</b>   |   |
| 9.                                      | <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)</li> <li>b. <input checked="" type="checkbox"/> PTO-1449</li> <li>c. <input checked="" type="checkbox"/> Copies of all IDS Citations</li> </ul>  |
| 10. <input type="checkbox"/>            | Assignment Papers (cover sheet & document(s))   |
| 11. <input checked="" type="checkbox"/> | Prior Application is Assigned to:<br><b>SmithKline Beecham p.l.c.</b><br>(for continuation/divisional with Box 17a completed)   |
| 12. <input checked="" type="checkbox"/> | Preliminary Amendment [Total Pages] <u>7</u>  |
| 13. <input checked="" type="checkbox"/> | Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)   |
| 14. <input type="checkbox"/>            | Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)  |
| 15. <input type="checkbox"/>            | Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. _____ filed _____. A PTO-1449 listing the references is enclosed.   |
| 16. <input type="checkbox"/>            | Other: _____  |

17.	<input checked="" type="checkbox"/> Priority Information, check appropriate box and supply the requisite information		
a.	The accompanying application is a <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 09/788,948 filed 20 February 2001 (allowed), which is a divisional of application No. 08/722,259 filed 27 October 1997 (allowed), which is the § 371 national stage filing of PCT/US96/14554 filed 5 September 1996.		
b.	<input checked="" type="checkbox"/> Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications: Application No. 60/003,353 filed 7 September 1995.		
c.			

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The PTO did not receive the following listed item(s) Specification, claims, and Abstract

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